AO 120 (Rev. 08/10)

TO:

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Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

| In Complian | | | 1116 you are hereby advised that rn District of Texas | t a court action has been on the following | |
|----------------------------|----------------------------------|-------------------|-------------------------------------------------------|--------------------------------------------|--|
| | ✓ Patents. (☐ the patent a | | | | |
| DOCKET NO. | DATE FILED 9/15/2011 | U.S. DI | U.S. DISTRICT COURT Eastern District of Texas | | |
| PLAINTIFF | | | DEFENDANT | | |
| Optimize Technology S | Solutions, LLC | | Staples, Inc., et al (See A | ttached List of Defendants) | |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | | HOLDER OF PATENT OR TRADEMARK | | |
| ı 6,330,592 B1 | 12/11/2001 | Opti | Optimize Technology Solutions, LLC | | |
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| 5 | | | | W. F. | |
| DATE INCLUDED | INCLUDED BY | the following | patent(s)/ trademark(s) have been Answer Cross E | | |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | | HOLDER OF PATENT OR TRADEMARK | | |
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| In the abo | ove—entitled case, the following | ng decision ha | s been rendered or judgement issu | ied: | |
| DECISION/JUDGEMENT | | | | | |
| CLERK | | (BY) DEPUTY CLERK | | DATE | |

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

| OPTIMIZE TECHNOLOGY | § | |
|-----------------------------------|---|------------------------------|
| SOLUTIONS, LLC, | § | |
| | § | |
| Plaintiff, | § | |
| | § | Civil Action No. 2:11-CV-419 |
| v. | § | |
| | § | |
| (1) STAPLES, INC., | § | |
| (2) DILLARD'S, INC., | § | |
| (3) DRUGSTORE.COM, INC., | § | |
| (4) HSN, INC., | § | JURY TRIAL DEMANDED |
| (5) J. C. PENNEY COMPANY, INC., | § | |
| (6) L.L. BEAN, INC., | § | |
| (7) RECREATIONAL EQUIPMENT, INC., | § | |
| and | § | |
| (8) RHAPSODY INTERNATIONAL INC., | § | |
| | § | |
| Defendants. | § | |